ORDER.

S. O. 3099.—WHEREAS by State Government Order No. PLM 81 LLD 65, dated 1st April 1965, the Industrial Dispute between the Workmen and the Management of Sannalsoor Estate, Balehonnur Post, Chickmagalur District, was referred to the Labour Court, Bangalore for adjudication

AND, WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No PLM 81 LLD 65.]

By Order and in the name of the Governor of Mysore,

843 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

(LABOUR DEPARTMENT).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Manjunatha Motor Service (P) Ltd., Chickmagalur.

Award of the Labour Court, Bangalore—published.

Read the following papers :—

1. Letter No. 569/65-66, dated 31st August 1965 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 31st day of August, 1965.

Present :

Sri P. T. Kadkol, B.Sc., LL.B., Presiding Officer.

Reference No. 51 of 1964.

Workmen represented by The Secretary, The Indian Plantation and General Workers Union, Chickmagalur. ... *1st Party* :

and

The Management of M/s Manjunatha Motor Service (P) Ltd., Chickmagalur. ... *2nd Party* .

[Reference : Government Order No. PLM 390 LLD 64, dated 13th November 1964].

AWARD.

The Government of Mysore, being of opinion that an Industrial Dispute exists between the workmen and the management of Manjunatha Motor Service (P) Ltd., Chickmagalur have referred it for adjudication to this Court, under Section 10 (1) (c) of the Industrial Disputes Act, 1947, in their order

No. PLM 390 LLD 64 dated 13th November 1964, setting out the points of dispute for adjudication as under:—

> "Whether the Management of Manjunatha Motor Service (P) Ltd, Chickmagalur (Registered Office, Mangalore) are justified in dismissing Sri R. T. Sheriff, Driver. If not, to what relief, if any, the said driver is entitled ?"

2. The cause of the aggrieved workman has been sponsored by the Indian Plantation and General Workers Union, Chickmagalur. This Union as representing the workman is the first party and the management of Manjunatha Motor Service (P) Ltd., is the second party in this proceeding. The first party is represented by Mr. Pinto who is the vice-President of the Union and the second party is represented by Advocate Mr. K. Janardhan.

3. In response to the notice issued by this Court the first party has put in its claim statement, the second party has put in its counter statement and the first party has submitted its reply thereto.

4. When the case came up for hearing before me at Chickmagalur Camp on 26th July 1965, Mr. Pinto submitted a memorandum marked Ex. A. stating that the aggrieved workman Sri R. T. Sheriff had died sometime before then and so the proceedings should be closed. Since the cause of action was personal to the aggrived workman Sri Sheriff, it does not survive after his death and the reference therefore shall have to be rejected.

5. Hence I proceed, to make the following Award.

AWARD.

The Reference is rejected as the cause of action does not survive on the death of the aggrieved workman Sri R. T. Sheriff. The memorandum Ex. A. be annexed to the Award and be deemed as part thereof.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.